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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 MALEK KALID PTAH,

10 Petitioner,

Case No. C19-0992-RSM

11 v.

12 STATE OF WASHINGTON,

Respondent.

ORDER DISMISSING FEDERAL  
HABEAS ACTION

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14 The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report and  
15 Recommendation of Mary Alice Theiler, United States Magistrate Judge, any objections thereto,  
16 and the remaining record, hereby finds and ORDERS:

17 (1) The Report and Recommendation is approved and adopted;

18 (2) Petitioner's petition for writ of habeas corpus (Dkt. 9), and this action, are  
19 DISMISSED without prejudice for failure to exhaust state court remedies;

20 (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the  
21 United States District Courts, a certificate of appealability is DENIED; and  
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ORDER DISMISSING FEDERAL  
HABEAS ACTION - 1

(4) The Clerk is directed to send copies of this Order to petitioner and to the Honorable Mary Alice Theiler.

DATED this 9 day of December 2019

24/5/20

RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE